

THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

Minutes
August 18, 2010

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Office of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on August 18, 2010.

MEMBERS PRESENT

Edward Mercer, Chairman
Roger McDonald, Police Officer
Daniel Triplett, Private Investigator
John L. Logdon, Private Investigator

OCCUPATIONS & PROFESSIONS STAFF

David Garr, Deputy Executive Director
Jennifer Smith, Internal Policy Analyst II
Adriana Lang, Board Administrator

MEMBERS ABSENT

Mary Pedersen, Citizen at Large
Kathryn Witt, Sheriff

OTHERS PRESENT

Angela Evans, Board Counsel
Mark Stigers, Middletown Fire Department

CALL TO ORDER

The Chairman, Mr. Mercer, called the meeting to order at 1:00 p.m. Mr. Mercer asked staff members if they heard about a replacement for Mr. Newbern. Ms Evans responded that Nicole Pang will be replacing Mr. Newbern; however, the Office of Occupations and Professions is waiting for the Executive Order from the Governor's Office.

APPROVAL OF MINUTES

The minutes of July 1, 2010 regular meeting was called to the attention of the members. A motion was made by Mr. McDonald to approve the minutes as presented. The motion, seconded by Mr. Logdon, carried unanimously.

FINANCIAL STATEMENTS

The Board reviewed the Financial Statements indicating the balance \$136,594.97 from July 1, 2009 to June 30, 2010 and \$151,199.72 from July 1, 2010 to July 31, 2010. Mr. Logdon asked if corrections had been made to previous bills from the Attorney General's Office. Ms. Evans replied that she notified her accounting department of the error and they should have made the corrections. A motion was made by Mr. Triplett to accept the Financial Statements as presented. The motion, seconded by Mr. McDonald, carried unanimously.

LICENSURE STATUS REPORT

The Board reviewed the licensure status report as of August 18, 2010.

DIRECTOR'S REPORT

Mr. Garr provided the following report:

- 1) E-mail from Schroeder Measurement Technologies (SMT) regarding the Monthly Report.
- 2) Correspondence from Sean Colton, SMT Director of Operations, in response to Board's correspondence. The Board expressed contentment from Mr. Colton's response and agreed not to take any actions at this point.
- 3) New administrative fees dropped to \$31,975.00, Memorandum of Agreement is close to be finalized, the next fee sweep will be 1.5% of the total allotted amount for the fiscal year and the Board budget loss per fiscal year will be \$1,200.00.
- 4) Informed the Board that the statewide furlough days will be September 3, 2010, November 12, 2010 and May 27, 2010. In addition to three furlough days that will be individually taken by each state employee.

ANGELA EVANS/ LEGAL MATTERS

Ms. Evans provided the following report:

- 1) 09-002 and 10-001 is ongoing.
- 2) 09-004 Process server came back. She stated that she will contact the Sheriff's office to have them serve the order.
- 3) Informed the Board that she isn't sure yet when her personal furloughs days will be.

LAWS AND REGULATIONS COMMITTEE REPORT

The Laws and Regulations Committee met on August 17, 2010 at 10:00 a. m at the Office of Occupations and Professions 911 Leawood Drive, Frankfort Kentucky. Mr. Triplett and Ms. Evans provided the following report and forms for review.

The Board reviewed a draft of the 201 KAR 40:___verification of 240 Hour-Employee. Ms Evans stated the she made a few amendments to the draft. Mr. Mercer suggested additional amendments. Mr. Triplett made a motion to approved the final draft of the regulation as amended, and to authorize Ms. Evans to file the regulations with the Legislative research Commission (LRC). The motion, seconded by Mr. Logdon, carried unanimously.

- 1) New Private Investigator Individual Application.
- 2) New Private Investigator Company Application.
- 3) Application for PI Company Renewal.
- 4) Application for Individual Renewal.
- 5) Application for Reinstatement Individual, Company Sole proprietor, Company.
- 6) Unlicensed Activity Report form.
- 7) Name/Address change form.

Mr. Triplett made a motion to approve the new Temporary Employee Notification form and Quarterly Report form, and to authorize Ms. Evans to file both forms with the 201 KAR 40:___ regulation. The motion, seconded by Mr. Logdon, carried unanimously.

Mr. Triplett explained that all drafts will be given to Jeff Boler for changes. The Board agreed to review the final drafts at the next scheduled meeting.

OLD BUSINESS

The Board reviewed information from the Fiscal Section regarding William McAuliffe stop payment for renewal. The Board deferred the matter until the next scheduled meeting.

NEW BUSINESS

The Board reviewed information regarding the International Association of Security and Investigative Regulators (IASIR) 2010 Annual Conference. The Board deferred the matter until the next scheduled meeting.

APPLICATION REVIEW COMMITTEE

The Applications Review Committee met at 11:00 am.

Mr. McDonald made a motion to approve the applications with provisions as follows. The motion, seconded by Triplett, carried unanimously.

INDIVIDUALS APPROVED WITH PROVISIONS: *Shawn Barton, Edgar Beaulieu, Richard Carroll, Paul Cornett, Timothy Dollow, Jessica Ferguson, Gregory Gorbett, William Hicks, Armin Karat, Gregory Mayo, Kiota Sanford, Charles Shotwell, Claudia Smith and Michael Worley.*

Mr. McDonald made a motion to approve the renewal applications as follows. The motion, seconded by Mr. Triplett, carried unanimously.

RENEWALS APPROVED: *Harry Brooks, Carolyn Buschur and Arthur Miller.*

Mr. McDonald made a motion to approve with provisions the renewal application as follow. The motion, seconded by Triplett, carried unanimously.

RENEWAL APPROVED WITH PROVISIONS: *George Rodney Raby.*

Mr. McDonald made a motion to deny exam extension request from *Anthony David May* as follow. The motion, seconded by Triplett, carried unanimously.

Mr. McDonald made a motion to deny application for *Anthony David May* due to failure to take the private investigator exam pursuant to 201 KAR 41:030 Section 2 (2). The motion, seconded by Triplett, carried unanimously.

INDIVIDUAL DENIED:*Anthony David May*.

TRAVEL AND PER DIEM

A motion was made by Mr. Triplett to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. The motion, seconded by Mr. Logdon, carried unanimously.

ADJOURNMENT

The Chairman, Mr. Mercer informed the Board that the next meeting is scheduled for Thursday September 2, 2010, at 1:00 p.m., the Application Review Committee Meeting at 11:00 a.m. Having no further business to be brought before the Board, a motion was made by Mr. Logdon to adjourn. Motion seconded by Mr. McDonald, carried unanimously. The meeting adjourned at 1:55 p.m.